


Re: Fw: Update on Delfasco?

Kevin
Shade

to Cynthia Fanning

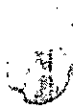
07/21/08 03:19 PM

Barbara Nann, Greg Fife, Melissa Smith, Richard Ehrhart, Susan
Webster

Cynthia,

I will forward the scanned copy of the GNL that went out Friday afternoon.

Cynthia Fanning/R6/USEPA/US



Cynthia
Fanning/R6/USEPA/US
07/21/08 03:16 PM

To Greg Fife/R6/USEPA/US@EPA, Barbara
Nann/R6/USEPA/US@EPA, Kevin
Shade/R6/USEPA/US@EPA
cc Melissa Smith/R6/USEPA/US@EPA, Richard
Ehrhart/R6/USEPA/US@EPA, Susan
Webster/R6/USEPA/US@EPA
Subject Re: Fw: Update on Delfasco?

Barbara and/or Kevin -

When do we expect to know more? I am uneasy with further delay in letting the Congressman know what's going on.

Greg -

Frankly, I'm OK with briefing the Congressman even if there is some uncertainty in who will take action. It sounds like there is plenty of certainty that action needs to be taken, swiftly, and will be taken by EPA if the PRP does not do so. Sounds like a win to me.

~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*

Cynthia Fanning
Congressional Liaison
US EPA, Region 6
214-665-2142
fax 214-665-2118

~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*



861985

Greg Fife/R6/USEPA/US

Greg Fife/R6/USEPA/US

07/21/2008 03:01 PM

To Cynthia Fanning/R6/USEPA/US@EPA

cc

Subject Fw: Update on Delfasco?

Please check with Kevin Shade or Barbara Nana, the enforcement officer and attorney on this site for Superfund, BUT I was told that the Superfund General Notice Letter went out Friday. Along with it, a draft Superfund consent order. The Letter tells Delfasco that they are PRPs and subject to Superfund law. The order had a statement of work to do additional sampling to determining the vapor plume, correlate the plume with the affected homes, and develop a plan to mitigate the threat in homes.

Of the 18 homes RCRA sampled, 3 have enough TCE inside to warrant action. That action would be to install a fan under the house in the crawl space.

If Delfasco declines the order, then we are prepping to go out and do the additional sampling. It will be a short turnaround before we get out there. We will use passive samplers, and they have to stay in the ground a week. The a week for initial results, then subsequent mapping and modeling. Depending on what we find, we will have to conduct more sampling in the homes to get the correlation. How many homes will depend on the modeled plume. That is all depended on Delfasco saying no, but that is also what they would do if they accept, just the timing may be a little delayed from us.

Since the order is up in the air, and there are a couple of other things yet to be determined, it may not be the best time for a very detailed call with the Cong. The additional sampling and such is consistent with RCRA's expected future action with their orders.

----- Forwarded by Greg Fife/R6/USEPA/US on 07/21/2008 02:50 PM -----


Melissa

Smith/R6/USEPA/US

07/21/2008 02:43 PM

To Cynthia Fanning/R6/USEPA/US@EPA

cc Richard Ehrhart/R6/USEPA/US@EPA, Susan Webster/R6/USEPA/US@EPA, Greg Fife/R6/USEPA/US@EPA

Subject Re: Update on Delfasco? 

Our RCRA Order was issued on July 2. Delfasco responded July 3 that they were not going to comply. We referred the Order to DOJ on July 16 for their assistance in enforcing the Order. In the meantime, I believe Superfund has been assessing the site and developing a CERCLA Order. I do not know the status of their activities. Susan Webster and Greg Fife are the Superfund contacts.

Melissa

Melissa Smith
U.S. Environmental Protection Agency
Hazardous Waste Enforcement Branch (6EN-HC)
214-665-7357

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

Cynthia Fanning/R6/USEPA/US



Cynthia
Fanning/R6/USEPA/US
07/21/2008 02:15 PM

To Richard Ehrhart/R6/USEPA/US@EPA, Melissa
Smith/R6/USEPA/US@EPA
cc

Subject Update on Delfasco?

Rick and Melissa –

Where are we with the Delfasco order? Do we need to offer a briefing to Cong. Burgess?

~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*

Cynthia Fanning
Congressional Liaison
US EPA, Region 6
214-665-2142
fax 214-665-2118

~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*